

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Darrell De'Marcus Land,	)	C/A No.: 4:22-1576-JD-KDW
	)	
Plaintiff,	)	
	)	
v.	)	ORDER
	)	
Detective Kenneth Marcus,	)	
	)	
Defendant.	)	
	)	
	)	

Plaintiff, proceeding pro se and *in forma pauperis*, brought this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983.<sup>1</sup> On March 31, 2023, Defendant Kenneth Marcus filed a Motion for Summary Judgment. ECF No. 57. Because Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of such motions and of the need for him to file an adequate response. ECF No. 58. Plaintiff was specifically advised that if he failed to respond adequately, the Defendants' Motion may be granted, thereby ending this case against him. *See id.*

However, notwithstanding the specific warning and instructions set forth in the court's *Roseboro* Order, Plaintiff has failed to respond to Defendant's Motion for Summary Judgment. The deadline to respond was May 4, 2023. Based on the foregoing, Plaintiff is directed to advise the court whether he wishes to continue with this case and to file a response to these Motions by **June 16, 2023**. Plaintiff is further advised that if he fails to respond, this action will be recommended for dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d

---

<sup>1</sup> Plaintiff initially brought this action against two defendants, Kenneth Marcus and Mary Ellen Walter. By virtue of an order dated April 11, 2023, Defendant Walter was dismissed from this case without issuance and service of process. ECF No. 61.

69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

May 17, 2023  
Florence, South Carolina

A handwritten signature in black ink, reading "Kaymani D. West". The signature is written in a cursive, flowing style with a large initial 'K' and a distinct 'D'.

Kaymani D. West  
United States Magistrate Judge